

RESPONSE - NOTICE OF
MISSING REQUIREMENTS

PATENT #4

A35111 PCT USA

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Pott et al.
Serial No. : 10/089,528
Filed : March 27, 2002
For : DIRECT INJECTION INTERNAL COMBUSTION
ENGINE WITH NO_x-REDUCED EMISSIONS

RESPONSE TO NOTICE TO FILE MISSING
REQUIREMENTS UNDER U.S.C. 371 IN THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)

EXPRESS MAIL LABEL NO. ET 346777488US

Assistant Commissioner of Patents
Box PCT
Washington, D.C. 20231

Sir:

Responsive to the Notice to File Missing Requirements of Application Under U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) dated June 10, 2002, 371 Formalities Letter Confirmation No. 7313, enclosed herewith is a Declaration and Preliminary Amendment referring to the above-identified application by one or more of the following in compliance with 37 U.S.C. 371:

- (x) Name of inventor and application serial number;
- (x) Name of inventor, attorney docket number which was on the application as filed, and filing date of the application;
- (x) Name of inventor, title of invention and filing date;
- () Name of inventor, title of invention and reference to a specification which is attached to the oath or declaration at the time of execution and filed with the oat
- () Name of inventor, title of invention. As presently advised, the undersigned, a registered attorney, states that the application filed in the PTO is the application which the inventor executed by signing the oath or declaration.

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PATENT

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Also enclosed are:

1. (x) A check in the amount of \$ 130.00
(x) \$130 - Other than Small Entity
() \$ 65 - Small Entity
representing payment of the surcharge
due for late filing of the Declaration
pursuant to 37 C.F.R. 1.492(e);
 2. () An extension of time to file the Response
to Missing Parts is respectfully requested.
The required fee, calculated pursuant to
1.136(a), is enclosed in the amount of \$ _____
 3. (x) Other English Translation & Preliminary Amendment
\$ 130.00
- TOTAL FEE ENCLOSED \$ 260.00

Enclosed: Form PCT/DO/EO/905

The Commissioner is hereby authorized to charge payment of any
additional fees associated with this communication to Deposit Account No. 02-4377. A
duplicate copy of this sheet is enclosed.

07/08/2002 LLANDGRA 00000030 10089528

01 FC:154 130.00 OP
02 FC:156 130.00 OP

Respectfully submitted,


James J. Mayne
Patent Office Reg. No. 26,946
Attorney for Applicants
(212) 408-2566

Baker Botts LLP
30 Rockefeller Plaza
New York NY 10112

NY02:393719.1

FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$ 260

Complete if Known

Application Number	10/089,528
Filing Date	March 27, 2002
First Named Inventor	Ekkerhard Pott
Examiner Name	
Group Art Unit	
Attorney Docket No.	A35111 PCT USA

METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number **02-4377**
Deposit Account Name **Baker Botts LLP**

- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17
☐ Applicant claims small entity status. See 37 CFR 1.27

2. ☒ Payment Enclosed:

☒ Check ☐ Credit card ☐ Money Order ☐ Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	Fee Paid
740	370	Utility filing fee	
330	165	Design filing fee	
510	255	Plant filing fee	
740	370	Reissue filing fee	
160	80	Provisional filing fee	

SUBTOTAL (1) (\$ 0

2. EXTRA CLAIM FEES

Total Claims - 20 ** = x =
Independent Claims - 3 ** = x =
Multiple Dependent =

Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description
18	9	Claims in excess of 20
84	42	Independent claims in excess of 3
280	140	Multiple dependent claim, if not paid
84	42	** Reissue independent claims over original patent
18	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ 0

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	Fee Paid
130	65	Surcharge - late filing fee or oath	130
50	25	Surcharge - late provisional filing fee or cover sheet	
130	130	Non-English specification	130
2,520	2,520	For filing a request for <i>ex parte</i> reexamination	
920*	920*	Requesting publication of SIR prior to Examiner action	
1,840*	1,840*	Requesting publication of SIR after Examiner action	
110	55	Extension for reply within first month	
400	200	Extension for reply within second month	
920	460	Extension for reply within third month	
1,440	720	Extension for reply within fourth month	
1,960	980	Extension for reply within fifth month	
320	160	Notice of Appeal	
320	160	Filing a brief in support of an appeal	
280	140	Request for oral hearing	
1,510	1,510	Petition to institute a public use proceeding	
110	55	Petition to revive - unavoidable	
1,280	640	Petition to revive - unintentional	
1,280	640	Utility issue fee (or reissue)	
460	230	Design issue fee	
620	310	Plant issue fee	
130	130	Petitions to the Commissioner	
50	50	Processing fee under 37 CFR 1.17(q)	
180	180	Submission of Information Disclosure Stmt	
40	40	Recording each patent assignment per property (times number of properties)	
740	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
740	370	For each additional invention to be examined (37 CFR § 1.129(b))	
740	370	Request for Continued Examination (RCE)	
900	900	Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 260

SUBMITTED BY

Name (Print/Type) **James J. Maune**

Signature

Registration No. (Attorney/Agent) **26,946**

Complete (if applicable)

Telephone **212-408-2566**

Date **July 2, 2002**

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

10/089528



UNITED STATES PATENT AND TRADEMARK OFFICE

 Commissioner for Patents, Box PCT
 United States Patent and Trademark Office
 Washington, D.C. 20231
 www.uspto.gov

U.S. APPLICATION NUMBER NO. 10/089,528	FIRST NAMED APPLICANT Ekkerhard Pott	ATTY. DOCKET NO. EU206387521US
INTERNATIONAL APPLICATION NO. PCT/EP00/09440		
I.A. FILING DATE 09/27/2000	PRIORITY DATE 10/06/1999	

 Baker Botts
 30 Rockefeller Plaza
 New York, NY 10112-4498

CONFIRMATION NO. 7313

371 FORMALITIES LETTER



OC000000008250629

Date Mailed: 06/10/2002

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Priority Document
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Request for Immediate Examination

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Translation of the application into English.
- Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 30 months from the priority date (37 CFR 1.492(f)).
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$130 Surcharge for providing the oath or declaration later than the appropriate 30 months from the priority date (37 CFR 1.492(e)) is required.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$260** for a Large Entity:

- **\$130** Late oath or declaration Surcharge.
- **\$130** for English translation surcharge required.

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

VONDA M WALLACE

Telephone: (703) 305-3736

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/089,528	PCT/EP00/09440	EU206387521US